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U.S. COURT  
CR-04-191-E-BLW  
MOTION FOR DETENTION  
HEARING

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

vs.

JASON LEE ROSE,

Defendant.

CASE NO: CR-04-191-E-BLW

MOTION FOR DETENTION  
HEARING

COMES NOW Michael J. Fica, Assistant United States Attorney for the District of Idaho, and moves the Court, pursuant to 18 U.S.C. §§3142(a)(4) and 3142(e), for an order directing that a hearing be held for the purpose of holding the defendant without bail prior to trial.

( ) Pursuant to Title 18 U.S.C. §3142(f), the United States asks for a continuance of three (3) days from the date of the defendant's first appearance before a judicial officer. The prosecution will introduce evidence as follows pursuant to the specific sections of Title 18, U.S.C., as indicated:

( ) §3142(f)(1)(A) - a crime of violence;

( ) §3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment or death;

( X ) §3142(f)(1)(C) - an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. 801, et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951, et seq.), or Section 1 of the Act of September 15, 1980 (21 U.S.C. 955a);

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1 ( ) §3142(f)(1)(D) - any felony committed after the person had been convicted of two  
2 or more prior offenses described in §3142(f)(1)(A) through (C), or two or more State or local  
3 offenses that would have been offenses described in §3142(f)(1)(A) through (C) if a  
4 circumstance giving rise to Federal jurisdiction had existed;

5 ( X ) §3142(f)(2)(A) - a serious risk that the person will flee;

6 ( X ) §3142(f)(2)(B) - a serious risk that the person will:

7 ( ) obstruct or attempt to obstruct justice, or

8 ( ) threaten, injure, or intimidate, or attempt to threaten, injure, or  
9 intimidate, a prospective witness or juror; or

10 ( X ) otherwise pose a danger to any other person or the community.

11 Dated this 5<sup>th</sup> day of October, 2004.

12 THOMAS E. MOSS  
13 United States Attorney

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15 MICHAEL J. FICA  
16 Assistant United States Attorney